

Amendments to the Drawings

The attached sheet of drawings includes changes to Fig. 1. The sheet has been amended to include the label of "Prior Art." This sheet replaces the original sheet including Fig. 1.

Attachment: Replacement Sheet

RECEIVED
CENTRAL FAX CENTER

SEP 28 2006

REMARKS

In response to the above identified final Office Action, the Applicants respectfully request reconsideration and review of the following remarks and the above amendments. Applicants have amended claims 1, 8, 9, 16, 17, 20, and 27. Applicants have not added any claims or cancelled any claims. Accordingly, claims 1-30 remain pending in the application.

I. Objection to the Drawings

The drawings have been objected to because Figure 1 had not been labeled "Prior Art," as it is referred to in the specification. Applicants have included a corrected Replacement Sheet as suggested by the Examiner. Accordingly, reconsideration and withdrawal of the objection to the drawings are requested.

II. Claims Rejected Under 35 U.S.C. § 102

Claims 1-3, 6, 7, 9-11, 14, 15 and 17-19 stand rejected under 35 U.S.C. § 102 as allegedly being anticipated by U.S. Patent No. 6,988,190 issued to Park, et al. (hereinafter "Park"). Claims 1, 2, 6-10, 14-18, 20-22 and 25-29 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by "Fetching Instruction Streams" by Ramirez et al. (hereinafter "Ramirez"). Claims 1, 2, 6-10, 14-18, 20-22 and 25-29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by "Exploiting Instruction Level Parellelism in Processors by Caching Scheduled Groups" by Nair et al. (hereinafter "Nair 1"). Claims 1, 2, 4-10, 12-18, 20-22 and 24-29 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,304,962 issued to Nair, et al. (hereinafter "Nair 2").

To establish anticipation, Examiner must show that a cited reference teaches each of the elements of a claim. In regard to claims 1, 9, 17, 20, and 27, these claims as amended include "switching to a stream mode if a branch-to-mesocode transition is detected in one of the plurality of streams; and switching to a normal mode if a mesocode-to-branch transition is detected." Support for this amendment may be found in the specification at ¶ 0070 and in Fig. 24. Examiner has not indicated and Applicants have been unable to discern any part of Park, Ramirez, Nair 1, or Nair 2 that teaches these elements of the independent claims as currently amended. Accordingly, reconsideration and withdrawal of the anticipation rejection of these claims are requested.

In regard to claims 2-8, 10-16, 18-19, 21-22, 24-26, 28-29, and 30. These claims depend from independent claims 1, 9, 17, 20 and 27 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to the independent claims, these claims are not anticipated by the cited references. Accordingly, reconsideration and withdrawal of the anticipation rejection of these claims are requested.

III. Claims Rejected Under 35 U.S.C. § 103

Claims 3, 7, 11, 15, 19, 23, 26, and 30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Nair 2. Applicants respectfully disagree for the following reasons.

To establish a *prima facie* case of obviousness, Examiner must show that the cited reference teaches or suggests the elements of the claim. Claims 3, 7, 11, 15, 19, 23, 26, and 30 depend from independent claims 1, 9, 17, 20 and 27. Thus, these dependent claims incorporate each of the limitations of those independent claims as amended. Therefore, at least for the reasons mentioned above in regard to the independent claims, the cited reference fails to teach or

suggest each of the elements of these claims. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-30, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If Examiner believes that a telephone conference would be useful in moving the application forward to allowance, Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 9/28, 2006


Jonathan S. Miller Reg. No. 48,534

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF FACSIMILE TRANSMISSION:

I hereby certify that this correspondence is being transmitted via facsimile to 571-273-8300 addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 09/28/2006
Annie McNally Date